

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DONALD HEIMSTAEDT and TODD KORTZ,

Plaintiffs,

-against-

PREMAIR NEW YORK, LLC, PREMAIR GROUP
OF NEW YORK, LLC, PREMAIR GROUP, LLC,
MCQUAY NEW YORK, LLC, GEORGE KOUTSOS,
ERIC BERKOWITZ, MCQUAY NEW YORK PROFIT
SHARING PLAN, and XYZ TRUSTEES OF THE
MCQUAY NEW YORK, LLC 401(k) PROFIT
SHARING PLAN,

Defendants.
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Civil Action No.;
07CV9389 (JSR)

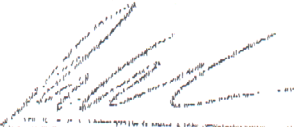
**PARTIAL
STIPULATION OF
DISCONTINUANCE
WITH PREJUDICE**

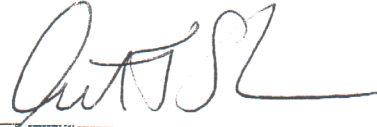
It is hereby stipulated to by the undersigned attorneys for all of the parties hereto that the
fourth cause of action for breach of contract is hereby discontinued with prejudice against only
defendants George Koutsos i/n/a George Koutsos and Eric Berkowitz. This stipulation may
be executed by counterpart facsimile.

Dated: February 19, 2008

Cole, Schatz, Melsel, Forman & Leonard, P.A.

Arthur J. Semetis, P.C.

By: 
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By: 
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New York LLC f/k/a McQuay
New York LLC, Prem.Air Group,
LLC, George Koutsos i/n/a
George Koutsos, Eric Berkowitz,
Prem.Air NY 401(k) Profit Sharing
Plan f/k/a McQuay New York LLC
401(k) Profit Sharing Plan i/n/a
McQuay New York Profit Sharing
Plan, and XYZ Trustees of the
Prem.Air NY 401(k) Profit Sharing
Plan f/k/a McQuay New York,
LLC 401(k) Profit Sharing Plan
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